

EXHIBIT ANS113

EXHIBIT 13

067-311209-19

FILED
TARRANT COUNTY
11/19/2020 12:28 PM
THOMAS A. WILDER
DISTRICT CLERK

Cause No. 067-311209-19

**MBH REAL ESTATE LLC,
AFI LOAN SERVICING, LLC,
ANSON FINANCIAL, INC.,
J. MICHAEL FERGUSON, P.C.**

Plaintiffs

V.

GHRIST LAW FIRM, PLLC ET. AL.

Defendants

§ IN THE DISTRICT COURT
§
§
§
§ 67th JUDICIAL DISTRICT
§
§
§ TARRANT COUNTY, TEXAS

ORDER AS TO SANCTIONS AND CONTEMPT

CAME ON TO BE HEARD the Defendants' Motion to Have J. Michael Ferguson *Et. Al.* Held in Contempt of Court and for Sanctions. The motion is GRANTED.

J. Michael Ferguson PC, AFI Loan Servicing LLC, Anson Financial Inc., and MBH Real Estate LLC are referred to hereinafter as the "Ferguson Parties."

In connection therewith, the Court makes the following orders and findings:

MBH Real Estate LLC; AFI Loan Servicing LLC; Anson Financial Inc.; and J. Michael Ferguson PC are in contempt of court for failure to comply with this Court's order signed 5/26/2020. This Court has previously found that those entities are owned and controlled by J. Michael Ferguson. Mr. Ferguson was present at the hearing wherein he was ordered to comply with the order signed 5/26/2020 by complying with the discovery requests served 12/4/2019 being the discovery requests referenced in the Defendants' motion to compel. Mr. Ferguson was also present at the hearing held in the 141st District Court on 8/27/2020 and had opportunity to show cause as to why he should not be held in contempt or sanctioned. The foregoing willfully and intentionally failed to comply with this Court's order.

The Court has considered several matters, including but not limited to (1) the Ferguson Parties made no effort, not even a perfunctory effort, to comply with the discovery requests (2) the Ferguson Parties were given additional time at the first motion to compel hearing on 2/21/2020 to serve objections to the discovery requests and declined to do so (3) the Ferguson Parties were previously sanctioned by this Court for the reasons set forth in the appellate and trial record, (4) a \$500 award of costs/fees to the Defendants on 5/26/2020 was ineffective in securing compliance with this Court's order, (5) the various mandamus petitions filed appear to have little to no merit and appear to have been denied almost immediately, (6) the Ferguson Parties have otherwise demonstrated disregard for discovery and other responsibilities both prior to final judgment and after final judgment in this case and in the case that this case was severed from as set forth in the appellate briefs and in the appellate record as well as the trial court records.



EMAILED
11 19 2020 ADB

In light of the foregoing, the Court issues the following orders:

J. Michael Ferguson is found to be in contempt of court. The Court ORDERS ~~XXXXXX~~ DJC
~~J. Michael Ferguson is confined to the dock until he complies with the Court's order.~~
~~J. Michael Ferguson is prohibited from appearing in the courtroom until he complies with the Court's order.~~
~~Signed on May 26, 2020.~~ that

~~AND OR~~

1. Ghrist Law Firm PLLC is awarded \$11,175.00 as discovery sanctions,¹ jointly and severally, against MBH Real Estate LLC; AFI Loan Servicing LLC; Anson Financial Inc.; and J. Michael Ferguson PC for which let execution issue and such writs and processes as may be appropriate.

~~AND OR~~

\$200.00

the date this Order is signed

2. A \$500-per-day civil, not criminal, fine is assessed against the Ferguson Parties, in favor of and payable to the Court, for each date after ~~5/26/2020~~ that the Ferguson Parties fail to comply with the Court's order signed 5/26/2020.

~~AND OR~~

~~Because the Ferguson Parties failed to participate in discovery related to Defendants' Motion to Enjoin the Plaintiff from Transferring or Dissipating Assets Except in the Ordinary Course of Business While the Appeal is Pending from 5/26/2020 until after being given an extension on their deadline to file discovery objections and responses and further failing to respond to discovery requests.~~

~~December of 2019, the Ferguson Parties have defaulted on the foregoing motion.~~

~~5. NOW THEREFORE J. Michael Ferguson PC, Anson Financial Inc., AFI Loan Servicing LLC, and MBH Real Estate LLC are ENJOINED from 5/26/2020 from transferring or dissipating assets, except in the ordinary course of business, until further order of this Court. This order is punishable by contempt of Court and may be enforced.~~

SIGNED on this the 19th day of November, 2020.

3. 45 days after this Order is signed, if Plaintiff fails to comply with the Order, then Defendant may seek an Order from the Court, after motion filed, seeking the Court's finding of a default as to Defendant's temporary injunction request. DJC

Donald J. Cosby
Judge Presiding

¹ In connection therewith the Court has reviewed the attorney's fees ledger filed on 8/25/2020 in this case

From: [Amy D. Bronstein](#)
To: LEGAL@FNALEGAL.COM; IAN@GHRISTLAW.COM
Subject: 067-311209-19-***Order as to sanctions & contempt
Date: Thursday, November 19, 2020 3:21:00 PM
Attachments: [06731120919000327.pdf](#)

Good afternoon,

Please see attached order which has been signed by the court.

Amy D. Bronstein

Associate Court Clerk, 67th Judicial Court
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